

KEVIN KELLY

November 29, 2010

Madoff Claims and Bankruptcy Court
Claim # 001316
C/O Baker + Hostetler LLP
C/O US Bankruptcy Court - Southern District NY

Subject: Actual account and denial of claim

Dear Sirs,

We received a notice from Madoff Trustee Picard stating that it was determined I/we did not have an actual account. This is an inaccurate statement and incorrect in our opinion.

We had TWO accounts with Madoff. See enclosed paperwork. Account # 1-EM097-3-0 and 1-EM096-3-0 were both owned by our group. Copies of statements, claim cover letters, and acknowledgements from Trustee Picard that the claims were received, are enclosed.

I, Kevin Kelly, am the junior owner of the accounts and never took any withdrawals. I am aware of withdrawals by the senior owners for several years. On this note, I am not sure if I/we will qualify for any settlement. One of the two accounts was deemed to not have a claim available. The other was pending until this letter was received.

Please review and contact us with your findings. Note that the Arizona address on the statements is no longer viable as the residence was sold due to the losses incurred.

Thanks



Kevin Kelly

Encl.

